

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

PATSY ANN GARCIA,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

Case No. CIV-14-422-RAW-KEW

ORDER REMANDING CASE FOR FURTHER PROCEEDINGS

On March 9, 2016, the United States Magistrate Judge entered a Report and Recommendation, recommending that the above-styled case be reversed and remanded for further proceedings. The Magistrate Judge found that the ALJ failed to incorporate Plaintiff's moderate limitation on concentration, persistence or pace in his RFC evaluation or to explain its exclusion and failed to incorporate Plaintiff's positive work history into his credibility consideration. Ultimately, the Magistrate Judge found that the decision of the Commissioner is not supported by substantial evidence and the correct legal standards were not applied. The Government filed an objection on March 11, 2016, requesting that the court affirm the final agency decision.

Upon full consideration of the entire record and the issues herein, this court finds that the Magistrate Judge's recommendation to reverse the ALJ's decision and remand this action for further proceedings is well-supported. Accordingly, the Report and Recommendation of the

United States Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 22nd day of March, 2016.

A handwritten signature in cursive script, reading "Ronald A. White". The signature is written in dark ink and is positioned above a horizontal line.

**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**